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FM AMEMBASSY KHARTOUM
TO SECSTATE WASHDC IMMEDIATE 2658

UNCLAS KHARTOUM 000023

DEPT FOR AF/SPG OWEN CLARKE, NEA/RA FOR JOE SCOVITCH

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [KBCT](#) [PREL](#) [SU](#)
SUBJECT: KHARTOUM: SECTION 565 WAIVER REQUEST

REF STATE 132944

¶1. (SBU) Khartoum requests waiver of the requirements of Section 565 of Title V, Part C of the Foreign Relations Authorizations Act for the reasons contained in paragraph two.

¶2. (SBU) Both the Comprehensive Peace Agreement (CPA), which ended the 21-year civil war in 2005, and the Interim National Constitution guarantee the rights of non-Muslims in Khartoum, and the secular Sudan People's Liberation Movement (SPLM) is part of the new Government of National Unity (GNU). However, in practice, Sharia law continues to be enforced in Khartoum and Islamic fundamentalists maintain effective control of the government. While initially becoming more tolerant after the signing of the peace agreement, security forces backed by Islamic fundamentalists orchestrated several crackdowns on the press and civil society organizations in ¶2008. To require firms to sign or accept such a certification would subject them to possible harassment by Government of Sudan organizations or by fundamentalist organizations. Local companies would not sign or accept such a certification and there are not available alternative sources for essential services and supplies.

¶3. (SBU) Language from last year's justification for certification and waiver remains valid as it pertains to Sudan.

FERNANDEZ